

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CR. NO. 1:01-CR-039  
: :  
: :  
V. : :  
: : (Judge Rambo)  
: :  
HARRY SABOWITZ : :

GOVERNMENT'S EX PARTE APPLICATION

AND NOW, comes the government through Christy H. Fawcett, Assistant U.S. Attorney, and files the within Government's Ex Parte Application pursuant to the All Writs Act, 28 United States Code, Section 1651:

1. On January 31, 2001, a 31-count indictment was filed charging the defendant with criminal conspiracy to commit interstate transportation of stolen securities, in violation of Title 18, United States Code, Section 371; interstate transportation of stolen securities, in violation of Title 18, United States Code, Section 2314; possession of stolen securities, in violation of Title 18, United States Code, Section 513; and money laundering, in violation of Title 18, United States Code, Section 1956 (a) (1) (A) (i) and (a) (1) (B) (i).

2. A arrest warrant was issued at the time the indictment was filed. However, the defendant remains a fugitive.

3. In the course of attempting to locate the defendant, Special Agent Tom Gote of the Federal Bureau of Investigation, has learned that the defendant may possess credit cards and/or debit

cards.

4. Information concerning where certain credit card and debit card transactions occur and other pertinent information is maintained by First Data Corporation, a credit card information clearinghouse.

5. Information concerning where the defendant has conducted credit and/or debit card transactions would assist law enforcement agents in locating the defendant.

**WHEREFORE**, pursuant to the All Writs Act, 28 United States Code, Section 1651, the government is requesting the Court to issue an Order directing First Data Corporation, Omaha, Nebraska, its subsidiaries and affiliates, including those wholly or partially owned to provide the following information to agents of the Federal Bureau of Investigation:

Records or documents, including subscriber information, transaction account logs, account applications, account activation, correspondence, customer communication, charge back information and any other records or account activity for any credit card, debit card, or other means of account access, as well as any associated names, including aliases, and account numbers identified as a result of data searches related to those names or associated names done by address, date of birth, social security number and telephone account from the date of the opening of the account to the date of the court order for:

Harry Sabowitz, date of birth 07/09/1951,  
social security number 080-50-8862, last known  
address 510 Elmwood Avenue, Brooklyn, NY  
11230-2652.

Respectfully submitted,

THOMAS A. MARINO  
United States Attorney

Christy N. Fawcett

CHRISTY H. FAWCETT  
Assistant U.S. Attorney